THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.2971 OF 2000

14.3.2006

Between:

Karri Abraham, S/o.Rama Swamy

… Petitioner

AND

Gram Panchayat, Chandrampalem village,

Samalkot Mandal, East Godavari District,

Represented by its Executive Officer

And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.2971 OF 2000

ORDER:

The petitioner is resident of Chandrampalem village of Samalkot Mandal in East Godavari District. It is his case that the land admeasuring Acs.6.56 in survey No.232 of Chandrampalem village is classified as 'Gramakantham' where large number of residential houses have come up. Most of the residents of this land are Christians. One hundred and twenty residents formed into an association by name Christu Sangham and constructed a prayer hall with palmyrah leaves, which is in existence for over twenty years. The Gram Panchayat also assigned door Nos.1-5 and 1-5-1 to the structures raised in the land and the petitioner is also living in the house bearing door No.1-5-1. It is alleged that on 16.2.2000, respondents 2 and 3 without issuing any notice came to the land with police aid and tried to demolish the church and the house. Aggrieved by the same, the present writ petition is filed.

Though the writ petition was admitted by this Court on 23.2.2000 and the Rule Nisi was served on the respondents, no counter affidavit is filed. There was no representation on behalf of the respondents. As the petitioner alleged that there was threat of demolition of the church and the house without due process of law, this

Court is of considered opinion that interest of justice would be met by disposing of the writ petition observing that unless and until due process of law is followed, the church and the residential house constructed by the petitioner in the land admeasuring Acs.0.03 and Acs.0.02 each in survey No.232 shall not be demolished.

The writ petition, with the above observations and direction, is accordingly disposed of. There shall be no order as to costs.

_____

(**V.V.S.RAO, J**)

March 14, 2006

YS